REMARKS

Claims 1-21 remain herein. Claim 17 has been amended. No claims have been added or cancelled.

Claims 1-6 and 17-22 have been rejected under 35 U.S.C. § 103 as obvious over James in view of Bennington. Applicants respectfully traverse the rejection.

Applicants have reviewed the cited disclosure of James in view of the assertions contained in the Office Action and find minimal correlation between the two. For example, the Office Action states at ¶ 3.1 that James teaches *"providing a continuous clock* (Col. 4 lines 6-8 more specifically '. . . continuous model cycle times' and regarding the clock see Col. 4 lines 11-33 more specifically '. . . it accepts clock source input. . .' *to a non real-time simulator."* Yet nothing in this citation, or any portion of column 4, teaches a continuous clock. The fact that the word "continuous" appears in one paragraph of column 4 and "clock" appears in the next does not amount to a continuous clock.

Similarly the presence of the phrase "non real-time" in the same paragraph as "clock" does not mean that the clock is being provided to a non-real time simulator. In fact, quite the opposite is true in James:

> When operating in the real-time mode, it accepts clock source
> input 16 and user command input 18; in non-real-time mode, it
> accepts user command input 18 only.

James at col. 4, lns. 15-17 (emphasis added). This sentence shows that the "accepts a clock" language (which the Office Action equates with a continuous clock) feeds the real-time mode, but the "non-real time mode" (which the Office Action equates with a non-real time simulator) *doesn't receive any clock signal at all.* James therefore does not teach any provision of a continuous clock to a non-real time simulator as alleged in ¶ 3.1 of the Office Action. Given the

absence of receipt of a clock signal by a non-real time simulator, there cannot be (and there is not) any synchronization of a simulation clock with a continuous clock as alleged in ¶ 3.1 of the Office Action.

The additional citation of Bennington for teachings of a real time clock does not provide what is lacking from James. James expressly teaches that its non-real mode does not receive any clock signal as input. It does not matter if it is a non-real time clock or Bennington's real time clock, as James' non-real time mode (the alleged real time simulator) simply doesn't except it as an input.

Accordingly, the James reference does not provide the teachings that have been attributed to it in the Office Action in support of the rejection of independent claims 1 and 17. The rejection therefore may not be properly maintained. Withdrawal of the rejection of claims 1 and 17 on this basis and allowance of the same are therefore respectfully requested.

Claims 2-6 and 18-22, which depend from claims 1 and 17, respectively, have also been rejected under 35 U.S.C. § 103 as obvious over James in view of Bennington. For the reasons discussed above, the rejection of these dependent claims is likewise improper. In addition, Applicants continue to observe minimal correlation between the cited disclosures of James in view of the assertions contained in the Office Action for these dependent claims. For example, ¶ 3.2 of the Office Action states that "James teaches *advancing the non-real time simulator to a second time based on the simulation clock reaching the second time* (Col. 3 lines 65-67)." Yet this portion of James says nothing of the kind:

> The simulation executive controls the execution dispatch of each process within each subsystem component. Simulation execution proceeds as a succession of cycles, or frames.

Nothing in the above language refers to a simulation clock and/or a second time at all, let alone a simulation clock taking any action in response to a second action. Indeed, the Office Action in ¶ 3.1 relied upon col. 7, lns.1-30, of James for a teaching of "advancing the non-real time simulator to a first time based on the simulation clock reaching a first time." Notwithstanding that Applicants find no such supporting disclosure in this citation of James, it is unclear how this James col. 7 disclosure teaches synchronizing to a first time, yet somehow the above citation of James col. 3 disclosure teaches synchronizing to a distinct second time. The two sections simply do not have anything to do with each other.

Similar issues persist in the analysis of the Office Action as set forth in ¶¶ 3.3-3.6. Further analysis of the same is moot in view of what is set forth above. Accordingly, the rejection of claims 2-6 and 18-22 may not be properly maintained. Withdrawal of the rejection of these dependent claims on this basis is therefore respectfully requested.

Claims 7-14 and 16 have been rejected under 35 U.S.C. § 103 as obvious over James in view of Collins. Claim 15 has been rejected under 35 U.S.C. § 103 as obvious over James in view of Collins and Lui. Applicants traverse the rejections.

The deficiencies of James have been discussed at length above. The additional citations of Lui for its teachings of a radio and Collins for its teachings of a control module and a real time clock do not cure these deficiencies. James' non-real time mode does not accept any clock signals, regardless of whether the clock signal is real time or a control module is in place. The rejection may therefore not be properly maintained. Withdrawal of the rejections of claims 7-16 and allowance of the same are therefore requested.

Claims 17-22 have been rejected under 35 U.S.C. § 101 as non-statutory subject matter. Per the Office Action, the claim is non-statutory because the computer-readable medium could

be a carrier wave. Applicants question why the invention would be considered abstract on this basis, but for ease of prosecution Applicants have amended claim 17 to recite a "physical computer medium." This would cover storage media such as discs, RAM, ROM, flash memory, etc., but exclude a carrier wave.[1]

Accordingly, the application is now fully in condition for immediate allowance and a notice to that effect is respectfully requested. The PTO is hereby authorized to charge/credit any fee deficiencies or overpayments to Deposit Account No. 19-4293 (Order No. 12492.0288). If there are any questions, the Examiner is invited to call applicants' undersigned attorney at the number listed below.

Respectfully submitted,

Date: July 6, 2007

Scott D. Watkins,
Reg. No. 36,715
STEPTOE & JOHNSON LLP
1330 Connecticut Avenue, N.W.
Washington, DC 20036-1795
Tel: (202) 429-6420
Fax: (202) 828-3658

---

[1] Applicants expressly note that the above amendment does not exclude a situation in which the claimed elements are present in both a physical computer readable medium and a carrier wave medium. The physical computer readable medium itself satisfies the claim, whether or not the invention is present in other unclaimed mediums.